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4 Counsel for the Defendant  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR-08-0272 SI
	)	
12 Plaintiff,	)	DEFENDANT'S PROPOSED VOIR DIRE
	)	
13 v.	)	Pretrial Conference: June 24, 2008
	)	
14 CELSO MARTEARENA-ARRIOLA	)	
	)	
15 Defendant.	)	
	)	

16

17 The defendant respectfully requests that the following questions be posed by the Court to  
18 the venire, either in a questionnaire or in open court:

- 19 1. Have you ever served on a jury? Was the case civil or criminal? Were you able  
20 to reach a verdict?
- 21 2. What clubs or organizations do you belong to? What talk radio programs do you  
22 listen to regularly? Do you belong to any organizations concerned with criminal law or the  
23 criminal justice system?
- 24 3. Have you ever applied for a job or worked for a law enforcement agency or in the  
25 military or security field? Have any of your close friends or relatives ever applied for a job or  
26 worked for a law enforcement agency or in the military or security field?

1           4.       There may be one or more law enforcement officers who will testify in this case.  
2 Will the fact that a person is a law enforcement officer make him or her more trustworthy in your  
3 evaluation than any other witness? Would you tend to give any greater weight or credibility, no  
4 matter how slight, to the testimony of a law enforcement officer or government witness because  
5 they are employees of or are testifying on behalf of the government?

6           6.       The defendant is Hispanic. Have you had any experiences that may make it  
7 difficult for you to be impartial and fair to him?

8           7.       Do you speak Spanish?

9           8.       The defendant is charged with being an alien who illegally reentered the United  
10 States after deportation. Is there anything about that charge that would make it difficult for you  
11 to serve as a juror?

12           9.       Do you believe that the United States' immigration laws should be tougher? Do  
13 you believe you can put that opinion aside and judge the defendant solely on the basis of the  
14 evidence presented at trial?

15           10.      What is your opinion of others who employ undocumented immigrants?

16           11.      The defendant is presumed to be innocent unless and until he is proven guilty  
17 beyond a reasonable doubt. Do you have any trouble giving him the benefit of this presumption  
18 of innocence without any mental reservations whatsoever?

19           12.      If after hearing all the evidence in this case, you thought that the defendant was  
20 probably guilty, but you were not convinced beyond a reasonable doubt, would you have trouble  
21 returning a verdict of not guilty?

22 Dated: June 17, 2008

23                               Respectfully submitted,

24                               /s

25                               BARRY J. PORTMAN  
26                               Counsel for the Defendant